



**U.S. OFFICE OF SPECIAL COUNSEL**  
1730 M Street, N.W.  
Washington, DC 20036-4505  
(202) 804-7000

June 16, 2019

Mr. Evan Anderson  
MuckRock  
Dept. MR 25197 411A Highland Ave  
Somerville, MA 02144  
Via Email: [25197-46286646@requests.muckrock.com](mailto:25197-46286646@requests.muckrock.com)

Re: Freedom of Information Act Request (#FO-16-0036)

Dear Mr. Anderson:

Please be advised that this is a final response to your request dated April 13, 2016, in which you asked the U.S. Office of Special Counsel (OSC) to provide you with “[a]ll complaints against the US Department of Agriculture alleging discrimination based on marital status or political affiliation, for the years 2000 through 2015 [and] [a]ll complaints against the USDA alleging whistleblower retaliation, for the years 2000 through 2015.” On December 14, 2018 you agreed to narrow the scope of your request between the years of 2013 – 2015. You further agreed to narrow your request on May 24, 2019 to a spreadsheet of the cases involving the USDA alleging discrimination based on marital status or political affiliation and whistleblower retaliation between the years of 2013 and 2015. Your request has been processed under the Freedom of Information Act (FOIA), 5 U.S.C. § 552 and the Privacy Act, 5 U.S.C. § 552a.

OSC identified six (6) pages of responsive records. We are releasing 6 pages in part pursuant to FOIA Exemptions (b)(3), (b)(6), (b)(7)(C), and (b)(7)(E).

- FOIA Exemption 3 permits withholding of records or information if a law specifically exempts the material from disclosure. Specifically, 5 U.S.C. § 1213(h), which is the Whistleblower Protection Act. *See* 5 U.S.C. § 552(b)(3).
- FOIA Exemption 6 protects information if disclosure would constitute a clearly unwarranted invasion of personal privacy. *See* 5 U.S.C. § 552(b)(6).
- FOIA Exemption 7(C) protects law enforcement information if disclosure could reasonably be expected to constitute an unwarranted invasion of personal privacy. *See* 5 U.S.C. § 552(b)(7)(C).
- FOIA Exemption (7)(E) permits withholding of records when techniques and procedures for law enforcement investigations or process would be disclosed or provided such disclosure could reasonably be expected to risk circumvention of law. *See* 5 U.S.C. § 552(b)(7)(E).

You have the right to appeal this determination under the FOIA. An appeal must be made in writing and sent to OSC’s General Counsel at the address shown at the top of this letter or by email to [FOIAappeal@osc.gov](mailto:FOIAappeal@osc.gov). The appeal must be received by the Office of General Counsel within ninety (90) days of the date of this letter.

If you have any questions or you require dispute resolution services, please feel free to contact Mahala Dar, OSC’s Chief FOIA Officer and acting FOIA Public Liaison, at [mdar@osc.gov](mailto:mdar@osc.gov) or (202)

U.S. Office of Special Counsel  
Anderson FO-16-0036  
June 16, 2019  
Page 2 of 2

804-7000. Please reference the above tracking number when you call or write. Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer.<sup>1</sup>

Thank you,

/s/

Mahala Dar, Esq.  
Clerk

---

<sup>1</sup> Office of Governmental Information Services (OGIS), National Archives and Records Administration 8601 Adelphi Road, Room 2510, College Park, MD 20740-6001; ogis@nara.gov (Email) 202-741-5770 (Office) 1-877-684-6448 (Toll Free) 202-741-5769 (Fax)

CaseNumber	DateReceived	Allegation Description
MA-15-(b)(	11/20/2014	DISCRIMINATION-MARITAL STATUS
MA-14-3):5	2/18/2014	DISCRIMINATION-MARITAL STATUS
MA-14-U.S	12/2/2013	DISCRIMINATION-MARITAL STATUS

CaseNumber	DateReceived	Allegation Description
MA-13	1/3/2013	REPRISAL FOR WHISTLEBLOWING (WBPA'89)
MA-13	1/22/2013	REPRISAL FOR WHISTLEBLOWING (WBPA'89)
MA-13	1/24/2013	REPRISAL FOR WHISTLEBLOWING (WBPA'89)
MA-13	1/24/2013	REPRISAL FOR APPEAL (WBPA)
MA-13	2/21/2013	REPRISAL FOR WHISTLEBLOWING (WBPA'89)
MA-13	2/21/2013	REPRISAL FOR APPEAL (WBPA)
MA-13	2/22/2013	REPRISAL FOR WHISTLEBLOWING (WBPA'89)
MA-13	2/26/2013	REPRISAL FOR APPEAL (WBPA)
MA-13	3/11/2013	REPRISAL FOR APPEAL (WBPA)
MA-13	3/15/2013	REPRISAL FOR WHISTLEBLOWING (WBPA'89)
MA-13	3/15/2013	REPRISAL FOR APPEAL (WBPA)
MA-13	3/18/2013	REPRISAL FOR WHISTLEBLOWING (WBPA'89)
MA-13	3/27/2013	REPRISAL FOR APPEAL (WBPA)
MA-13	4/4/2013	REPRISAL FOR WHISTLEBLOWING (WBPA'89)
MA-13	4/9/2013	REPRISAL FOR WHISTLEBLOWING (WBPA'89)
MA-13	4/16/2013	REPRISAL FOR WHISTLEBLOWING (WBPA'89)
MA-13	5/13/2013	REPRISAL FOR APPEAL (WBPA)
MA-13	5/29/2013	REPRISAL FOR WHISTLEBLOWING (WBPA'89)
MA-13	5/30/2013	REPRISAL FOR APPEAL (WBPA)
MA-13	6/10/2013	REPRISAL FOR WHISTLEBLOWING (WBPA'89)
MA-13	6/10/2013	REPRISAL FOR APPEAL (WBPA)
MA-13	8/21/2013	REPRISAL FOR WHISTLEBLOWING (WBPA'89)
MA-13	8/21/2013	REPRISAL FOR WHISTLEBLOWING (WBPA'89)
MA-13	8/29/2013	REPRISAL FOR WHISTLEBLOWING (WBPA'89)
MA-13	8/29/2013	REPRISAL FOR WHISTLEBLOWING (WBPA'89)
MA-13	8/29/2013	REPRISAL FOR WHISTLEBLOWING (WBPA'89)
MA-13	9/6/2013	REPRISAL FOR WHISTLEBLOWING (WBPA'89)
MA-13	9/6/2013	REPRISAL FOR APPEAL (WBPA)
MA-13	9/23/2013	REPRISAL FOR APPEAL (WBPA)
MA-13	9/23/2013	REPRISAL FOR APPEAL (WBPA)
MA-13	9/30/2013	REPRISAL FOR WHISTLEBLOWING (WBPA'89)
MA-13	9/30/2013	REPRISAL FOR WHISTLEBLOWING (WBPA'89)
MA-13	9/30/2013	REPRISAL FOR WHISTLEBLOWING (WBPA'89)
MA-14	10/2/2013	REPRISAL FOR WHISTLEBLOWING (WBPA'89)
MA-14	10/10/2013	REPRISAL FOR WHISTLEBLOWING (WBPA'89)
MA-14	10/21/2013	REPRISAL FOR WHISTLEBLOWING (WBPA'89)
MA-14	10/21/2013	REPRISAL FOR APPEAL (WBPA)
MA-14	10/23/2013	REPRISAL FOR APPEAL (WBPA)
MA-14	10/24/2013	REPRISAL FOR WHISTLEBLOWING (WBPA'89)
MA-14	11/6/2013	REPRISAL FOR WHISTLEBLOWING (WBPA'89)
MA-14	11/6/2013	REPRISAL FOR APPEAL (WBPA)
MA-14	11/15/2013	REPRISAL FOR WHISTLEBLOWING (WBPA'89)
MA-14	11/25/2013	REPRISAL FOR WHISTLEBLOWING (WBPA'89)
MA-14	12/4/2013	REPRISAL FOR APPEAL (WBPA)
MA-14	12/11/2013	REPRISAL FOR APPEAL (WBPA)
MA-14	12/11/2013	REPRISAL FOR WHISTLEBLOWING (WBPA'89)

(b)(3):5  
U.S.C. §  
1213(h);  
(b)(6);  
(b)(7)(C)  
;  
(b)(7)(E)

MA-14-		12/12/2013 REPRISAL FOR WHISTLEBLOWING (WBPA'89)
MA-14-		12/31/2013 REPRISAL FOR APPEAL (WBPA)
MA-14-		12/31/2013 REPRISAL FOR APPEAL (WBPA)
MA-14-		1/7/2014 REPRISAL FOR WHISTLEBLOWING (WBPA'89)
MA-14-		1/7/2014 REPRISAL FOR APPEAL (WBPA)
MA-14-		1/13/2014 REPRISAL FOR APPEAL (WBPA)
MA-14-		1/13/2014 REPRISAL FOR APPEAL (WBPA)
MA-14-		1/13/2014 REPRISAL FOR WHISTLEBLOWING (WBPA'89)
MA-14-		1/14/2014 REPRISAL FOR APPEAL (WBPA)
MA-14-		1/28/2014 REPRISAL FOR APPEAL (WBPA)
MA-14-		2/10/2014 REPRISAL FOR APPEAL (WBPA)
MA-14-		2/10/2014 REPRISAL FOR WHISTLEBLOWING (WBPA'89)
MA-14-		2/18/2014 REPRISAL FOR WHISTLEBLOWING (WBPA'89)
MA-14-		2/18/2014 REPRISAL FOR APPEAL (WBPA)
MA-14-		3/6/2014 REPRISAL FOR APPEAL (WBPA)
MA-14-		3/7/2014 REPRISAL FOR APPEAL (WBPA)
MA-14-		3/19/2014 REPRISAL FOR WHISTLEBLOWING (WBPA'89)
MA-14-		3/19/2014 REPRISAL FOR APPEAL (WBPA)
MA-14-		3/20/2014 REPRISAL FOR WHISTLEBLOWING (WBPA'89)
MA-14-		3/20/2014 REPRISAL FOR APPEAL (WBPA)
MA-14-	(b)(3):5	3/24/2014 REPRISAL FOR WHISTLEBLOWING (WBPA'89)
MA-14-	U.S.C. §	3/25/2014 REPRISAL FOR WHISTLEBLOWING (WBPA'89)
MA-14-	1213(h) ;	3/26/2014 REPRISAL FOR WHISTLEBLOWING (WBPA'89)
MA-14-	(b)(6);	3/26/2014 REPRISAL FOR APPEAL (WBPA)
MA-14-	(b)(7)(C)	4/9/2014 REPRISAL FOR WHISTLEBLOWING (WBPA'89)
MA-14-	;	4/9/2014 REPRISAL FOR WHISTLEBLOWING (WBPA'89)
MA-14-	(b)(7)(E)	4/11/2014 REPRISAL FOR APPEAL (WBPA)
MA-14-		4/11/2014 REPRISAL FOR WHISTLEBLOWING (WBPA'89)
MA-14-		4/11/2014 REPRISAL FOR APPEAL (WBPA)
MA-14-		4/18/2014 REPRISAL FOR APPEAL (WBPA)
MA-14-		4/23/2014 REPRISAL FOR WHISTLEBLOWING (WBPA'89)
MA-14-		5/9/2014 REPRISAL FOR APPEAL (WBPA)
MA-14-		5/15/2014 REPRISAL FOR WHISTLEBLOWING (WBPA'89)
MA-14-		6/10/2014 REPRISAL FOR APPEAL (WBPA)
MA-14-		6/10/2014 REPRISAL FOR APPEAL (WBPA)
MA-14-		6/10/2014 REPRISAL FOR APPEAL (WBPA)
MA-14-		6/10/2014 REPRISAL FOR WHISTLEBLOWING (WBPA'89)
MA-14-		6/11/2014 REPRISAL FOR WHISTLEBLOWING (WBPA'89)
MA-14-		6/16/2014 REPRISAL FOR APPEAL (WBPA)
MA-14-		6/16/2014 REPRISAL FOR WHISTLEBLOWING (WBPA'89)
MA-14-		6/16/2014 REPRISAL FOR WHISTLEBLOWING (WBPA'89)
MA-14-		6/16/2014 REPRISAL FOR WHISTLEBLOWING (WBPA'89)
MA-14-		6/17/2014 REPRISAL FOR WHISTLEBLOWING (WBPA'89)
MA-14-		6/19/2014 REPRISAL FOR WHISTLEBLOWING (WBPA'89)
MA-14-		7/2/2014 REPRISAL FOR WHISTLEBLOWING (WBPA'89)
MA-14-		7/2/2014 REPRISAL FOR APPEAL (WBPA)
MA-14-		7/8/2014 REPRISAL FOR WHISTLEBLOWING (WBPA'89)

MA-14		8/14/2014 REPRISAL FOR APPEAL (WBPA)
MA-14		8/14/2014 REPRISAL FOR WHISTLEBLOWING (WBPA'89)
MA-14		8/18/2014 REPRISAL FOR WHISTLEBLOWING (WBPA'89)
MA-14		8/18/2014 REPRISAL FOR APPEAL (WBPA)
MA-14		9/2/2014 REPRISAL FOR WHISTLEBLOWING (WBPA'89)
MA-14		9/2/2014 REPRISAL FOR WHISTLEBLOWING (WBPA'89)
MA-14		9/8/2014 REPRISAL FOR APPEAL (WBPA)
MA-14		9/25/2014 REPRISAL FOR APPEAL (WBPA)
MA-14		9/30/2014 REPRISAL FOR WHISTLEBLOWING (WBPA'89)
MA-14		9/30/2014 REPRISAL FOR APPEAL (WBPA)
MA-15		10/10/2014 REPRISAL FOR WHISTLEBLOWING (WBPA'89)
MA-15		10/10/2014 REPRISAL FOR APPEAL (WBPA)
MA-15		10/10/2014 REPRISAL FOR APPEAL (WBPA)
MA-15		10/14/2014 REPRISAL FOR WHISTLEBLOWING (WBPA'89)
MA-15		10/14/2014 REPRISAL FOR APPEAL (WBPA)
MA-15		11/6/2014 REPRISAL FOR WHISTLEBLOWING (WBPA'89)
MA-15		11/6/2014 REPRISAL FOR APPEAL (WBPA)
MA-15		11/8/2014 REPRISAL FOR WHISTLEBLOWING (WBPA'89)
MA-15		11/8/2014 REPRISAL FOR WHISTLEBLOWING (WBPA'89)
MA-15		11/13/2014 REPRISAL FOR WHISTLEBLOWING (WBPA'89)
MA-15	(b)(3):5	11/13/2014 REPRISAL FOR WHISTLEBLOWING (WBPA'89)
MA-15	U.S.C. §	11/17/2014 REPRISAL FOR APPEAL (WBPA)
MA-15	1213(h)	11/17/2014 REPRISAL FOR WHISTLEBLOWING (WBPA'89)
MA-15	; (b)(6);	11/22/2014 REPRISAL FOR WHISTLEBLOWING (WBPA'89)
MA-15	(b)(7)(C)	11/25/2014 REPRISAL FOR APPEAL (WBPA)
MA-15	;	11/26/2014 REPRISAL FOR WHISTLEBLOWING (WBPA'89)
MA-15	(b)(7)(E)	12/2/2014 REPRISAL FOR WHISTLEBLOWING (WBPA'89)
MA-15		12/3/2014 REPRISAL FOR APPEAL (WBPA)
MA-15		12/10/2014 REPRISAL FOR APPEAL (WBPA)
MA-15		12/12/2014 REPRISAL FOR WHISTLEBLOWING (WBPA'89)
MA-15		12/12/2014 REPRISAL FOR APPEAL (WBPA)
MA-15		12/12/2014 REPRISAL FOR WHISTLEBLOWING (WBPA'89)
MA-15		1/27/2015 REPRISAL FOR WHISTLEBLOWING (WBPA'89)
MA-15		1/27/2015 REPRISAL FOR APPEAL (WBPA)
MA-15		2/23/2015 REPRISAL FOR APPEAL (WBPA)
MA-15		2/23/2015 REPRISAL FOR APPEAL (WBPA)
MA-15		3/2/2015 REPRISAL FOR APPEAL (WBPA)
MA-15		3/2/2015 REPRISAL FOR WHISTLEBLOWING (WBPA'89)
MA-15		3/9/2015 REPRISAL FOR WHISTLEBLOWING (WBPA'89)
MA-15		3/9/2015 REPRISAL FOR APPEAL (WBPA)
MA-15		3/9/2015 REPRISAL FOR WHISTLEBLOWING (WBPA'89)
MA-15		3/18/2015 REPRISAL FOR APPEAL (WBPA)
MA-15		3/25/2015 REPRISAL FOR APPEAL (WBPA)
MA-15		4/7/2015 REPRISAL FOR APPEAL (WBPA)
MA-15		4/21/2015 REPRISAL FOR WHISTLEBLOWING (WBPA'89)
MA-15		4/29/2015 REPRISAL FOR WHISTLEBLOWING (WBPA'89)
MA-15		5/4/2015 REPRISAL FOR WHISTLEBLOWING (WBPA'89)

MA-15	5/4/2015 REPRISAL FOR APPEAL (WBPA)
MA-15	5/5/2015 REPRISAL FOR WHISTLEBLOWING (WBPA'89)
MA-15	5/5/2015 REPRISAL FOR APPEAL (WBPA)
MA-15	5/12/2015 REPRISAL FOR WHISTLEBLOWING (WBPA'89)
MA-15	5/14/2015 REPRISAL FOR APPEAL (WBPA)
MA-15	5/21/2015 REPRISAL FOR WHISTLEBLOWING (WBPA'89)
MA-15	6/8/2015 REPRISAL FOR APPEAL (WBPA)
MA-15	6/8/2015 REPRISAL FOR WHISTLEBLOWING (WBPA'89)
MA-15	6/15/2015 REPRISAL FOR WHISTLEBLOWING (WBPA'89)
MA-15	6/15/2015 REPRISAL FOR APPEAL (WBPA)
MA-15	6/18/2015 REPRISAL FOR APPEAL (WBPA)
MA-15	6/18/2015 REPRISAL FOR WHISTLEBLOWING (WBPA'89)
MA-15	6/18/2015 REPRISAL FOR WHISTLEBLOWING (WBPA'89)
MA-15	6/18/2015 REPRISAL FOR APPEAL (WBPA)
MA-15	6/26/2015 REPRISAL FOR WHISTLEBLOWING (WBPA'89)
MA-15	6/26/2015 REPRISAL FOR APPEAL (WBPA)
MA-15	6/29/2015 REPRISAL FOR APPEAL (WBPA)
MA-15	6/29/2015 REPRISAL FOR APPEAL (WBPA)
MA-15	7/13/2015 REPRISAL FOR APPEAL (WBPA)
MA-15	7/13/2015 REPRISAL FOR WHISTLEBLOWING (WBPA'89)
MA-15	7/13/2015 REPRISAL FOR WHISTLEBLOWING (WBPA'89)
MA-15	8/5/2015 REPRISAL FOR WHISTLEBLOWING (WBPA'89)
MA-15	8/6/2015 REPRISAL FOR APPEAL (WBPA)
MA-15	8/14/2015 REPRISAL FOR WHISTLEBLOWING (WBPA'89)
MA-15	8/20/2015 REPRISAL FOR WHISTLEBLOWING (WBPA'89)
MA-15	8/21/2015 REPRISAL FOR APPEAL (WBPA)
MA-15	9/2/2015 REPRISAL FOR WHISTLEBLOWING (WBPA'89)
MA-15	9/8/2015 REPRISAL FOR WHISTLEBLOWING (WBPA'89)
MA-15	9/8/2015 REPRISAL FOR APPEAL (WBPA)
MA-15	9/11/2015 REPRISAL FOR APPEAL (WBPA)
MA-15	9/11/2015 REPRISAL FOR APPEAL (WBPA)
MA-15	9/17/2015 REPRISAL FOR WHISTLEBLOWING (WBPA'89)
MA-15	9/25/2015 REPRISAL FOR APPEAL (WBPA)
MA-15	9/25/2015 REPRISAL FOR WHISTLEBLOWING (WBPA'89)
MA-15	9/28/2015 REPRISAL FOR APPEAL (WBPA)
MA-16	10/13/2015 REPRISAL FOR APPEAL (WBPA)
MA-16	10/15/2015 REPRISAL FOR WHISTLEBLOWING (WBPA'89)
MA-16	10/15/2015 REPRISAL FOR APPEAL (WBPA)
MA-16	10/15/2015 REPRISAL FOR WHISTLEBLOWING (WBPA'89)
MA-16	10/20/2015 REPRISAL FOR APPEAL (WBPA)
MA-16	10/22/2015 REPRISAL FOR WHISTLEBLOWING (WBPA'89)
MA-16	10/22/2015 REPRISAL FOR WHISTLEBLOWING (WBPA'89)
MA-16	11/4/2015 REPRISAL FOR WHISTLEBLOWING (WBPA'89)
MA-16	11/4/2015 REPRISAL FOR APPEAL (WBPA)
MA-16	11/5/2015 REPRISAL FOR WHISTLEBLOWING (WBPA'89)
MA-16	11/6/2015 REPRISAL FOR WHISTLEBLOWING (WBPA'89)
MA-16	11/12/2015 REPRISAL FOR WHISTLEBLOWING (WBPA'89)

(b)(3):5  
U.S.C. §  
1213(h) ;  
(b)(6);  
(b)(7)(C);  
(b)(7)(E)

MA-16-		11/12/2015 REPRISAL FOR APPEAL (WBPA)
MA-16-		11/12/2015 REPRISAL FOR APPEAL (WBPA)
MA-16-		11/16/2015 REPRISAL FOR WHISTLEBLOWING (WBPA'89)
MA-16-		11/16/2015 REPRISAL FOR APPEAL (WBPA)
MA-16-	(b)(3):5	11/16/2015 REPRISAL FOR WHISTLEBLOWING (WBPA'89)
MA-16-	U.S.C. §	12/8/2015 REPRISAL FOR WHISTLEBLOWING (WBPA'89)
MA-16-	1213(h)	12/8/2015 REPRISAL FOR APPEAL (WBPA)
MA-16-	; (b)(6);	12/11/2015 REPRISAL FOR WHISTLEBLOWING (WBPA'89)
MA-16-	(b)(7)(C)	12/14/2015 REPRISAL FOR WHISTLEBLOWING (WBPA'89)
MA-16-	;	12/14/2015 REPRISAL FOR APPEAL (WBPA)
MA-16-	(b)(7)(E)	12/21/2015 REPRISAL FOR WHISTLEBLOWING (WBPA'89)
MA-16-		12/21/2015 REPRISAL FOR WHISTLEBLOWING (WBPA'89)
MA-16-		12/28/2015 REPRISAL FOR WHISTLEBLOWING (WBPA'89)